

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

CHARLES DANIEL SMITH,

Plaintiff,

v.

CHARTER COMMUNICATIONS,  
INC.,

Defendant.

Case No. 1:18-cv-00069-SPW

**CASE MANAGEMENT ORDER**

The Court held a Final Pretrial Conference on January 15, 2025. In addition to the transcript of the record of the hearing, the Court memorializes its rulings in this Order.

1. The Court and the parties decided that no fewer than 25 jurors will be called to court on February 3, 2025. Initially, 15 jurors will be called forward into the well to participate in voir dire. Each side shall have a total of 4 peremptory challenges. Each side will get 3 peremptory challenges plus an additional peremptory challenge for the additional 1 juror. The trial jury shall consist of seven (7) members; six (6) jurors and one (1) alternate. The alternate will be chosen by random selection at the conclusion of the closing arguments.

2. Upon the agreement of the parties, the Court shall read to the voir dire participants at the outset Joint Proposed Jury Instruction No. 19.
3. Each party shall have sixty (60) minutes to conduct voir dire. Opening statements will be limited to thirty (30) minutes. Closing arguments shall be limited to seventy-five (75) minutes for the Plaintiff (including rebuttal) and sixty (60) minutes for the Defendant. The trial shall commence at 9:00 a.m. each morning.
4. Pursuant to Fed. R. Civ. P. 615, lay witnesses will be excluded from the courtroom. Pursuant to Fed. R. Civ. P. 615(b)(1) and (2), excluded witnesses are prohibited from reviewing the testimony of other witnesses.
5. The resolution of Plaintiff's pre-judgment and post-judgment interest shall be addressed by the Court after the jury renders its verdict.

DATED this 15<sup>th</sup> day of January, 2025.

  
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SUSAN P. WATTERS  
United States District Court Judge